

Investigative and Enforcement Services

Settlement Agreement

USDA, APHIS, IES
4700 River Road, Unit 85
Riverdale, MD 20737
Phone: (301) 734-8684
Fax: (301) 734-4328

RESPONDENT:1st Address

██████████
Colorado State University
203 Administration Bldg.
Fort Collins, CO 80523

2nd Address**Registered Agent**

Linda Schutjer
410 17th Street, Suite 2440
Denver, CO 80202

CASE NUMBER CO09016-AC**DUE ON OR BEFORE** June 24, 2011**CONTACT
PHONE** ██████████**DATE****CITATION****DESCRIPTION**

See Attached Pages
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PENALTY

\$23,821

TERMS

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture, after providing notice and opportunity for a hearing, to impose civil penalties and other sanctions to resolve violations.

Prior to the issuance of a formal complaint seeking sanctions under the Act, The Department may enter into a stipulation to resolve the above-described violations. Your payment constitutes a waiver of your right to a hearing, a finding that the violations of law have occurred, and settlement of such violations.

If you do not pay the specified penalty within the designated time or wish to exercise your right to a hearing, this matter will be forwarded to the Office of the General Counsel for litigation. The penalty offered in this stipulation is not relevant to the sanctions the Department may seek, or that will be assessed, upon issuance of a formal complaint.

Signature of Respondent:**Date:****PAYMENT RECORD - FOR IES USE ONLY**

Payment Type	Date	Amount	Signature of IES Representative

<u>DATE</u>	<u>CITATION</u>	<u>DESCRIPTION</u>
November 29, 2007	9 C.F.R. § 2.31(e)(3)	<u>Institutional Animal Care and Use Committee (IACUC).</u> Respondent failed to provide a complete description of the proposed use of the animals in its proposal to conduct an activity involving animals. The description of proposed use described monitoring healing prior to and after exercise but the protocol did not include the standard operating procedure for exercise.
	9 C.F.R. § 2.31(e)(2)	<u>Institutional Animal Care and Use Committee (IACUC).</u> Respondent failed to provide a rationale for the appropriateness of the species and numbers of animals to be used in its proposal to conduct an activity involving animals. An IACUC- approved animal use activity did not provide adequate rationale for the 235 horses requested.
December 19, 2008	9 C.F.R. § 2.131(b)(1)	<u>Handling of Animals.</u> All handling shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm or unnecessary discomfort. A former research dog that was being adopted by a student escaped from the student's car and was found on university grounds the next morning.
January 5, 2009	9 C.F.R. § 2.31(e)(3)	<u>Institutional Animal Care and Use Committee (IACUC).</u> Respondent failed to include a complete description of the proposed use of the animals in its proposal to conduct an activity involving animals. An IACUC- approved protocol did not include a standard operating procedure for an activity involving animals.
September 29, 2010	9 C.F.R. § 3.1(e)	<u>Housing Facilities.</u> Respondent failed to store open supplies of food and bedding in leak-proof containers with tightly fitting lids to prevent contamination or spoilage. Respondent did not store a bag of bedding for cats in leak-proof containers with tightly fitting lids.
	9 C.F.R. § 3.125(a)	<u>Facilities.</u> Respondent failed to maintain indoor and outdoor housing facilities in sufficiently good repair to protect the animals from injury and to contain the animals. Wires with sharp points, used to secure a fence panel, protruded into a primary enclosure containing two horses, risking injury to the animals.
	9 C.F.R. § 3.129(a)	<u>Feeding.</u> Respondent failed to provide food that was wholesome, palatable, and free from contamination to maintain animal health. A pallet of feed for sheep contained ripped bags contaminated by fox feces.

9 C.F.R. § 3.131(c)

Sanitation. Respondent failed to keep premises clean and in sufficiently good repair to protect the animals from injury. A hammock used by two ferrets had a three inch tear, posing risk of injury to the animals.

9 CFR 3.131(d)

Sanitation. Respondent failed to maintain an effective program for the control of insects, ectoparasites, and avian and mammalian pests. Respondent failed to address excessive flies at a facility housing horses, where at least two horses had numerous insect bites on their sides, necks, and faces.